

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

NAUTILUS INSURANCE COMPANY,

Plaintiff,

v.

RICHARD ALEXANDER MURDAUGH,
SR., CORY FLEMING, MOSS & KUHN,
P.A., CHAD WESTENDORF, and
PALMETTO STATE BANK,

Defendants.

C/A No.: 2:22-cv-1307-RMG

**NAUTILUS INSURANCE COMPANY’S
MOTION TO FILE RESPONSE
UNDER SEAL**

Palmetto State Bank (“PSB”) filed a Motion to File Under Seal [ECF No. 130] with regard to an exhibit it attached to its Motion for Summary Judgment [ECF No. 131]. Nautilus Insurance Company (“Nautilus”) moves under the Court’s Confidentiality Order [ECF No. 97] and Local Rule 5.03¹ to have its Response to the Motion to Seal itself be filed under seal. Its reason for doing so is that Section III of its Response contains a discussion of confidential information that Nautilus wishes be sealed. The discussion is of matter that is sensitive and particular to the facts of this case, and that Nautilus wishes to protect from public disclosure for fear it would be more broadly construed as a coverage position. No less restrictive alternative exists that would allow Nautilus to present this discussion to the Court without the confidential information becoming public.

Accordingly, Nautilus (i) hereby moves to seal its Response, (ii) will file a redacted version of its Response on the public record so as to timely respond to PSB’s motion, and (iii) shall electronically send an unredacted version of its Response² to chambers for the Court’s

¹ The undersigned certifies he has sought to comply with Local Rule 5.03, though that Rule pertains to exhibits filed under seal rather than responses.

² **Exh. 1** (Placeholder for Confidential Information to be Submitted to Court in Connection with Motion to Seal).

review, with copy to all counsel.

Nautilus requested consent of counsel for all parties prior to filing this motion.

Respectfully submitted:

This 4th day of August, 2023
Charleston, South Carolina

/s/ Jaan Rannik
EPTING & RANNIK, LLC
Jaan G. Rannik (Fed. ID No. 12621)
Clinton T. Magill (Fed. ID No. 12459)
46A State Street
Charleston, SC 29401
P: (843) 377-1871
F: (843) 377-1310
jgr@epting-law.com
ctm@epting-law.com
COUNSEL FOR NAUTILUS INSURANCE COMPANY